

Notice to surrender a water access licence

Use this form to give notice of your intention to surrender a water access licence (WAL) under section 77 of the *Water Management Act 2000*.

The department may refuse to accept the surrender of a WAL if:

1. the licence is subject to a registered security interest or caveat; or
2. the holder of the access licence has failed to make payment of any outstanding water charges or fees; or
3. there is the potential for continued use of the work nominated on the WAL and the take of water is not otherwise authorised under the *Water Management Act 2000*.

You may be contacted for further information in relation to this form.

Prior to submitting the notice to surrender a WAL form

1. Check the information on this form is correct.
2. Ensure that the completed form is signed by all holders of the WAL to be surrendered.
3. Ensure that any charges owed in relation to the water access licence, including water management charges or civil penalties, are paid up to the date of surrender. To do this:
 - contact WaterNSW on 1300 662 077 or customer.helpdesk@waternsw.com.au to request a financial statement and to organise payment of charges owing up to the date of surrender
 - request a quote for the payout figure (the total charges owing) at the date of surrender
 - pay the outstanding amount
 - submit the quote and the receipt of payment with this form
4. Ensure you have considered the Water Allocation Account balance and undertaken any water dealings as required. Negative water allocation account balances are not permitted. Water allocation may be traded prior to the specified surrender date. Check with WaterNSW if you are unsure.
5. Ensure that all security interests over the WAL, including mortgages or caveats, are discharged or withdrawn.

6. Check your records for the original WAL Certificate of Title, noting:
 - if you do not have the original Certificate of Title, you must make a declaration in this form as to why you do not have it and provide a copy of a recent WAL Title Search.
 - to do a WAL Title Search contact NSW Land Registry Service at nswlrs.com.au or phone on 02 8776 3575

Completing and submitting notice to surrender a WAL form

Information and documentation to be provided

You need the following information and documentation to complete and submit this form.

Information

- WAL to be surrendered
- Details of holder/s of WAL to be surrendered
- Date of surrender
- Payout figure (the total charges owing)
- WAL Certificate
- Declaration of holder/s of WAL to be surrendered
- Nominated water supply work approval

Supporting documents

- Quote from WaterNSW for the payout figure
- Receipt of payment
- If you do not have the original Certificate of Title, a copy of a recent title search
- If you do have the original Certificate of Title for the WAL - do not send it to the department with your supporting documents. Please send the original Certificate of Title for the WAL by registered post to WaterNSW at:

WaterNSW

Licensing

PO Box 398

Parramatta NSW 2124

How to submit your Notice to surrender a water access licence

Submit the completed and signed form, with supporting documents, to the department by sending to the department at waterlicensing.servicedesk@dpie.nsw.gov.au

Help with this form

If you have any questions or need help to complete this form, contact us at waterlicensing.servicedesk@dpie.nsw.gov.au

PART 1 - Details of WAL and WAL holder/s

Section A: WAL to be surrendered

A1 WAL number	A2 Share component ML/year
A3 Tenure type:	
A4 Category	A5 Sub-category
A6 Water sharing plan	
A7 Water source	

Section B: Details of holder/s of WAL to be surrendered

List all holders of the WAL to be surrendered. If more than two WAL holders, photocopy and attach extra pages.

First WAL holder

B1 Title (<i>Mr, Mrs, Ms</i>)	FOR INDIVIDUALS, NOT COMPANIES	FOR INDIVIDUALS, NOT COMPANIES
	B2 Surname	B3 Given name(s)
B4 Company name (<i>if applicable</i>)		

B5 ACN		B6 ABN (if applicable) <i>(If you do not hold an ACN and are an organisation incorporated in NSW you must provide an ABN and a copy of your certificate of incorporation.)</i>	
B7 Name and position held (if a company or corporation)			
B8 Address (street address/PO Box)			
B9 Town		B10 State	B11 Postcode
B12 Phone		B13 Alternate phone	
B14 Email			

Second WAL holder (if applicable)

B15 Title (Mr, Mrs, Ms)	FOR INDIVIDUALS, NOT COMPANIES B16 Surname	FOR INDIVIDUALS, NOT COMPANIES B17 Given name(s)	
B18 Company name (if applicable)			
B19 ACN		B20 ABN (if applicable) <i>(If you do not hold an ACN and are an organisation incorporated in NSW you must provide an ABN and a copy of your certificate of incorporation.)</i>	
B21 Name and position held (if a company or corporation)			
B22 Address (street address/PO Box)			
B23 Town		B24 State	B25 Postcode
B26 Phone		B27 Alternate phone	
B28 Email			
B29 If more than two applicants, specify total number of applicants:			

Section C: Date of surrender

C1 Nominated date of surrender *(a specific date must be provided)*:

PART 2 - WAL charges and interests

Section D: Water charges

The WAL holder/s are responsible for paying fees and charges up to the specified date of surrender.

D1 Have all water fees and charges been paid up to the specified date of surrender?

- Yes *(if yes, attach copy of financial statement from WaterNSW and the receipt for payment)*
- No *(if no, contact WaterNSW on 1300 662 077 to organise a financial statement up to the specified date of surrender and then pay the charges)*

Section E: WAL certificate

E1 Are security interests and/or caveats registered on the WAL?

- Yes *(if yes, you are required to provide documentary evidence that the interest holder/s consent to the surrender of the WAL)*
- No

E2 Has the WAL Certificate of Title been sent to WaterNSW by registered post?

- Yes
- No *(if no, you must declare why you have not provided the Certificate of Title AND provide evidence of a Title Search)*

E3 Declaration as to why the Certificate of Title for the WAL is not provided:

Part 4 – Declaration of holder/s of WAL to be surrendered

Section F: Declaration and consent of applicants

All holders of the WAL to be surrendered must sign this section.

If there are more than two holders you need to photocopy/print the necessary number of copies of the entire form (only after Sections A to E have been completed) before anyone signs Section F.

It is an offence under section 344 of the *Water Management Act 2000 (NSW)* (the Act) to make a statement that you know to be false or misleading, in or in connection with, this application.

I/We, the undersigned, acknowledge and agree that:

1. I/we consent to the surrender of the water access licence described in this form.
2. the Crown in right of the State of New South Wales, including the NSW Department of Climate Change, Energy, the Environment and Water and their officers, employees, agents and successors ('the State'), accepts no liability in relation to any action, proceeding, claim, demand, cost, loss, damage or expense (including reasonable legal costs or expenses) arising directly or indirectly as a result of or in connection with the surrender of the access licence or any act or omission of the State in connection with the surrender of the access licence and I/we hereby agree to release and indemnify the State from and against any such action, proceeding, claim, demand, cost, loss, damage or expense to the fullest extent permitted by law.
3. all information contained in this form is accurate, true and complete and that the Crown in right of the State and their officers, employees, agents and successors will rely on such information.
4. the State does not provide any legal, financial or technical advice in connection with this form and that any such advice, if required, is to be obtained independently.
5. if this form is incomplete, it may not be accepted.
6. more information may be requested if it is considered that it would be relevant to the consideration of this form.

For consent by individuals		
F1 Name	F2 Signature	F3 Date
F4 Name	F5 Signature	F6 Date

For consent by entities other than individuals
F7 Name of signatory:
F8 Position of signatory: <input type="checkbox"/> Director <input type="checkbox"/> Secretary <input type="checkbox"/> Duly Authorised Officer (government departments)

F9 Signature:	F10 Date:
F11 Name of signatory:	
F12 Position of signatory: <input type="checkbox"/> Director <input type="checkbox"/> Secretary <input type="checkbox"/> Duly Authorised Officer (government departments)	
F13 Signature:	F14 Date:

Part 5 – Nominated work supply works

Section G: Nominated water supply work

WAL holder/s cannot surrender a WAL if a nominated work continues to take or account for water and there is no other WAL nominating that approval. Continued use of the work without a WAL, may be in breach of the WMA.

Complete this section if the WAL has a nominated work.

<p>G1 Are you the holder of the water supply work approval for the nominated work associated with this WAL?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No <i>(if no, obtain consent from holder/s)</i></p>
<p>G2 Will the water supply work approval for the nominated work associated with this WAL be surrendered?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>G3 Water supply work approval number/s to be surrendered:</p>

If surrendering the water supply work approval, works must be disconnected and removed. Groundwater works must be decommissioned in accordance with the Minimum Requirements for Water Bores in Australia. Any reports or other requirements stated in the conditions on the approval must be submitted.

If the water supply work approval is no longer required, you must surrender the approval. Submitting this application form to surrender a water access licence does not automatically surrender the water supply work approval.

Find information on how to surrender a water supply work approval on our website: [Surrender a water supply work approval](#) or contact us at waterlicensing.servicedesk@dpie.nsw.gov.au or 1300 081 047

Privacy statement

The personal information you provide on this form is subject to the *Privacy and Personal Information Protection Act 1998*.

It is being collected by the department and will be used for purposes related to assessing and processing your application, or in connection with the operation of any approval granted, or for research-related purposes such as customer surveys. It may be used from time to time to contact you about services the department provides.

The department will not disclose your personal information to anybody else unless authorised by law.

The provision of this information is voluntary. However, if you choose not to provide the requested information we will not be able to process your application.

You have the right to request access to, and correct details of, your personal information held by the department.

Further information regarding privacy can be obtained from the department's website at: nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback#toc-privacy-statement

Offences and penalties

It is an offence, under section 344 of the *Water Management Act 2000*, to make a statement that you know to be false or misleading in, or in connection with, this application. A corporation found guilty of an offence against section 344 is liable to a penalty not exceeding \$2.002 million. An individual found guilty of an offence against section 344 is liable to a penalty not exceeding \$500,500.

An access licence or approval may be suspended or cancelled under the *Water Management Act 2000* in certain circumstances. These include if the holder of the licence or approval is convicted of an offence under that Act.